

Application No.: 09/202,681

3

Docket No.: 564462001001

AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

Please cancel claims 5 to 7, 13 to 17, 20, 21, 31 to 36 and 41 to 47, without prejudice or disclaimer.

This listing of claims will replace all prior versions, and listing, of claims in the application:

Claim 1 (previously presented): An isolated or recombinant polynucleotide selected from the group consisting of:

- (a) a polynucleotide encoding a thermostable phosphatase comprising an amino acid sequence as set forth in SEQ ID NO: 28; and
- (b) a polynucleotide which is complementary to the polynucleotide of (a).

Claim 2 (currently amended): An isolated or recombinant polynucleotide selected from the group consisting of:

- (a) a polynucleotide sequence as set forth in SEQ ID NO: 19; and (b) a sequence as set forth in SEQ ID NO: 19, where T can also be U; wherein the polynucleotide of (a) and (b) encode a polypeptide having phosphatase activity.

Claim 3 (previously presented): The isolated or recombinant polynucleotide of claims 1 or 2, wherein the polynucleotide comprises DNA.

Claim 4 (previously presented): The isolated or recombinant polynucleotide of claims 1 or 2 wherein the polynucleotide comprises RNA.

Claims 5 to 7 (canceled)

Claim 8 (currently amended): A process for producing a polypeptide comprising: expressing from the host cell of claim 53 or 54 ~~[[7]]~~ a polypeptide encoded by the polynucleotide.

sd-265217

Application No.: 09/202,681

4

Docket No.: 564462001001

Claim 9 (currently amended): A process for producing a recombinant cell comprising: transforming or transfecting a cell with the vector of claim 48 [[6]] such that the cell expresses the polypeptide encoded by the polynucleotide.

Claim 10 (currently amended): An isolated or recombinant polypeptide having phosphatase activity comprising an amino acid sequence encoded by the polynucleotide ~~which has at least 70% sequence identity to the amino acid sequence~~ as set forth in claim 1 or claim 2 SEQ ID NO: 28.

Claim 11 (currently amended): An isolated or recombinant polypeptide having phosphatase activity ~~enzyme~~ comprising an amino acid sequence ~~which has at least 70% sequence identity to the amino acid sequence~~ as set forth in SEQ ID NO: 28 or an enzymatically active fragment thereof.

Claims 12 to 17 (canceled)

Claim 18 (currently amended): The isolated or recombinant [[A]] polypeptide comprising an enzymatically active fragment of the phosphatase of claim 11 [[10]], wherein the enzymatically active fragment is at least 30 amino acid residues in length.

Claim 19 (currently amended): A purified polypeptide having a sequence as set forth in SEQ ID NO: 28, or an enzymatically active fragment thereof ~~comprising an enzymatically active fragment of the phosphatase of claim 11~~, wherein the enzymatically active fragment is at least 30 amino acid residues in length.

Claims 20 to 36 (canceled)

Claim 37 (previously presented): The isolated or recombinant phosphatase of claim 10, wherein the phosphatase activity is an alkaline phosphatase activity.

sd-265217

Application No.: 09/202,681

5

Docket No.: 564462001001

Claim 38 (currently amended): The isolated or recombinant polynucleotide of claim 1 or claim 2 [[14]], wherein the phosphatase activity is an alkaline phosphatase activity.

Claim 39 (currently amended): The isolated or recombinant polynucleotide of claim 1 or claim 2 [[14]], wherein the phosphatase activity is a phosphodiesterase activity.

Claim 40 (previously presented): A method for dephosphorylating a phosphorylated nucleic acid comprising contacting a phosphatase encoded by the polynucleotide of claim 10 with the phosphorylated nucleic acid.

Claims 41 to 47 (canceled)

Claim 48 (previously presented): A vector comprising the polynucleotide of claim 1 or claim 2.

Claim 49 (previously presented): A host cell comprising the vector of claim 48.

Claim 50 (currently amended): A process for producing a polypeptide comprising expressing from the host cell of claim 49 or claim 53 or claim 54 a polypeptide encoded by the polynucleotide.

Claim 51 (previously presented): A process for producing a recombinant cell comprising: transforming or transfecting a cell with the vector of claim 48 such that the cell expresses the polypeptide encoded by the polynucleotide.

Claim 52 (previously presented): A method for dephosphorylating a phosphorylated nucleic acid comprising contacting the phosphorylated nucleic acid with a phosphatase encoded by the isolated or recombinant of claim 1 or claim 2.

sd-265217

Application No.: 09/202,681

6

Docket No.: 564462001001

Claim 53 (new): A host cell comprising the polynucleotide of claim 1.

Claim 54 (new): A host cell comprising the polynucleotide of claim 2.

Claim 55 (new): A host cell comprising the polypeptide of claim 10.

Claim 56 (new): A host cell comprising the polypeptide of claim 11.

sd-265217